
WELSH STATUTORY INSTRUMENTS

2005 No. 423 (W.41) (C.19)

COUNTRYSIDE, WALES

The Countryside and Rights of Way Act 2000
(Commencement No. 6) (Wales) Order 2005

Made - - - -

1 March 2005

The National Assembly for Wales, in exercise of the powers conferred upon it by section 103(3) and (4) of the Countryside and Rights of Way Act 2000 (“the Act”)(1), hereby makes the following Order:

Citation, interpretation and application

1.—(1) This Order may be cited as the Countryside and Rights of Way Act 2000 (Commencement No.6) (Wales) Order 2005.

(2) In this Order, references to sections and Schedules are references to sections of, and Schedules to, the Act.

(3) This Order applies in relation to Wales.

Appointed day

2. 28 May 2005 is the day appointed for the coming into force of the following provisions of the Act—

- (a) section 2 (right of access to access land);
- (b) section 12 (effect of right of access on rights and liabilities of owners);
- (c) section 13 (occupiers' liability);
- (d) section 14 (offence of displaying on access land notices deterring public use);
- (e) section 46(3) (which introduces Schedule 4) insofar as it relates to the provisions in Schedule 4 referred to in paragraph (h) of this article;
- (f) section 102 insofar as it relates to the provisions in Schedule 16 referred to in paragraph (i) of this article;
- (g) Schedule 2 (restrictions to be observed by persons exercising right of access);

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- (h) paragraphs 2 (amendment to the Forestry Act 1967⁽²⁾) and 3 (amendment to the Agriculture Act 1967⁽³⁾) of Schedule 4; and
- (i) insofar as it has not previously been brought into force, Part I of Schedule 16 (repeals).

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998⁽⁴⁾.

1 March 2005

John Marek
The Deputy Presiding Officer of the National
Assembly

⁽²⁾ 1967 c. 10.
⁽³⁾ 1967 c. 22.
⁽⁴⁾ 1998 c. 38.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force certain provisions of the Countryside and Rights of Way Act 2000 (“the Act”) in relation to Wales.

Apart from minor and consequential amendments, it brings into force, on 28 May 2005, the following provisions of the Act—

- (a) section 2, which introduces a new public right of access to “access land”;
- (b) sections 12 and 13, which relate to the effect of the right of access on the rights and liabilities of owners and occupiers;
- (c) section 14, which creates an offence of displaying on access land notices deterring public use; and
- (d) Schedule 2, which contains general restrictions to be observed by persons exercising their right of access on access land.

In relation to Wales, most “access land” (as defined in section 1(1) of the Act) will comprise land—

- (a) shown as open country or registered common land on a map issued in conclusive form by the Countryside Council for Wales (“the CCW”) for the purposes of Part I of the Act; or
- (b) which has been dedicated by a person entitled to do so under section 16 of the Act.

Maps showing the areas over which the right of access will apply have been prepared by the CCW for all areas in Wales and the electronic version of those maps in conclusive form may be inspected at the relevant local office of the CCW, the address of which can be found on the CCW’s website at www.ccw.gov.uk. Reduced-scale versions of the maps may also be viewed on that website.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Countryside and Rights of Way Act 2000 have been brought into force in Wales by commencement order made before the date of this Order—

Section(s) or Schedule(s)	Date of Commencement	S.I. number
18, 20 and 46(1)(a)	21 June 2004	2004/1489 (W.154) (C.59)
46(1)(b)	1 May 2001	2001/1410 (W.96) (C.50)
46(3) (in part)	1 May 2001	2001/1410 (W.96) (C.50)
57 (in part)	1 May 2001	2001/1410 (W.96) (C.50)
60 and 61	1 November 2002	2002/2615 (W.253) (C.82)
63	1 April 2004	2004/315 (W.33) (C.16)
68	1 May 2001	2001/1410 (W.96) (C.50)
70(1)	1 April 2004	2004/315 (W.33) (C.16)
70(2)	1 May 2001	2001/1410 (W.96) (C.50)

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Section(s) or Schedule(s)	Date of Commencement	S.I. number
70(3)	1 April 2004	2004/315 (W.33) (C.16)
70(4)	1 May 2001	2001/1410 (W.96) (C.50)
72	1 May 2001	2001/1410 (W.96) (C.50)
Part IV (sections 82 o 93) (and, accordingly, Schedules 13 to 15)	1 May 2001	2001/1410 (W.96) (C.50)
96	1 May 2001	2001/1410 (W.96) (C.50)
99	30 January 2001	2001/203 (W.9) (C.10)
102 (in part)	1 May 2001	2001/1410 (W.96) (C.50)
Schedule 4, paragraphs 1, 4, 5 and 6	1 May 2001	2001/1410 (W.96) (C.50)
Schedule 6, paragraphs 1, 6 and 9(5)	1 April 2004	2004/315 (W.33) (C.16)
Schedule 6, paragraphs 18(a) (in part) and 19 (in part)	1 May 2001	2001/1410 (W.96) (C.50)
Schedule 16, Part I (in part)	1 May 2001	2001/1410 (W.96) (C.50)
Schedule 16, Part I (in part)	21 June 2004	2004/1489 (W.154) (C.59)
Schedule 16, Part II (in part)	1 May 2001	2001/1410 (W.96) (C.50)
Schedule 16, Parts III to VI	1 May 2001	2001/1410 (W.96) (C.50)

The following Commencement Orders have been made under the Countryside and Rights of Way Act 2000 in relation to England—

The Countryside and Rights of Way Act 2000 (Commencement No. 1) Order 2001 ([S.I. 2001/114](#)) ([C.4](#))

The Countryside and Rights of Way Act 2000 (Commencement No. 2) Order 2002 ([S.I. 2002/2833](#)) ([C.89](#))

The Countryside and Rights of Way Act 2000 (Commencement No. 3) Order 2003 ([S.I. 2003/272](#)) ([C.16](#))

The Countryside and Rights of Way Act 2000 (Commencement No. 4) Order 2004 ([S.I. 2004/292](#)) ([C.14](#))

The Countryside and Rights of Way Act 2000 (Commencement No. 5) Order 2004 ([S.I. 2004/2173](#)) ([C.93](#))

The Countryside and Rights of Way Act 2000 (Commencement No. 6) Order 2004 ([S.I. 2004/3088](#)) ([C.128](#))